



UNITED STATES PATENT AND TRADEMARK OFFICE

Joe M. Giuliano/Adam Saltzman

UV/048

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/262,870	03/04/1999	MICHAEL D. ELLIS	UV-48	1124

7590 05/16/2005

MICHAEL E SHANAHAN
FISH & NEAVE
1251 AVENUE OF THE AMERICAS
NEW YORK, NY 100201104

RECEIVED

MAY 19 2005

ROPS & GRAY LLP - PATENT DEPT.
REFERRED TO JM/AFMS
NOTED BY _____

EXAMINER

LONSBERRY, HUNTER B

ART UNIT

PAPER NUMBER

2011
DATE MAILED 05/16/2005
JUL 21 2005
PTO

Please find below and/or attached an Office communication concerning this application or proceeding.

DOCKETED FOR 6/16/05

Arbitrary date to provide
Copies of cited references



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

JUL 21 2005

NOTICE UNDER 37 CFR 1.251 - Pending Application

The file on the cover sheet cannot be located after a reasonable search. Therefore, the Office is initiating the reconstruction of the file of the above-identified application pursuant to the provisions of 37 CFR 1.251.

Applicant is hereby requested to provide a copy of applicant's record (if any) of all of the correspondence between the Office and applicant for the above-identified application (except for U.S. patent documents), a list of such correspondence, and a statement that the copy is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and whether applicant is aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

The following paper(s) pertaining to the above-identified application cannot be located after a reasonable search:

The references listed on the Information Disclosure Statement dated 05/24/99, 08/30/99, and 01/05/04.

The 892 forms (List of references cited by examiner) dated 06/06/03 and 05/20/04.

Therefore, the Office is initiating the reconstruction of such paper(s) pursuant to the provisions of 37 CFR 1.251.

Applicant is hereby requested to provide a copy of the paper(s) listed above and a statement that the copy of such paper(s) is a complete and accurate copy of applicant's record of such paper(s).

If applicant does not possess any record of the correspondence between the Office and the applicant for the file listed on the cover sheet or any copy of the paper(s) listed, applicant must reply to this notice by providing a statement that applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

A printout from PALM of the contents of the file of the above-identified application is included with this notice.

Direct the reply to this notice to:

U. S. Patent and Trademark Office
Mail Stop: **Duplicates**
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P.O. Box 1450
Alexandria, Virginia 22313-1450

Direct questions concerning this notice to:

Image Assistance Center/ Customer Service

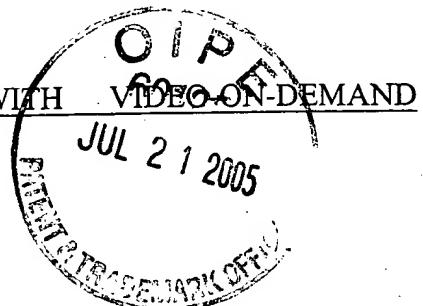
1-(888)-786-0101

PTO Doc. Code: R251.NTC (Rev. 03/05)

In re Application of: Ellis, Michael D.Application No.: 09262870Filing Date: 03/04/99Title: PROGRAM GUIDE SYSTEM WITH VIDEO-ON-DEMAND
BROWSING

Direct to:

U. S. Patent and Trademark Office
 Mail Stop: Duplicates
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

**NOTICE UNDER 37 CFR 1.251 – Pending Application****Statement (check the appropriate box):**

- The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.
- The copy of the paper(s) listed in the notice under 37 CFR 1.251 is a complete and accurate copy of applicant's record of such paper(s). (Please see Reply to Notice Under 37 CFR 1.251 for more details).
- The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.
- Applicant does not possess any record of the correspondence between the Office and the applicant for the above identified application.

7/19/05
Date

Adam Saltzman
Signature

Adam M. Saltzman (Reg. No. 52,188)
Typed or printed name

A Copy of this notice should be returned with the reply.

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicant : Michael D. Ellis

Application No. : 09/262,870 Confirmation No. ^{Ant 125} 601124

Filed : March 4, 1999

For : PROGRAM GUIDE SYSTEM WITH
VIDEO-ON-DEMAND BROWSING

Group Art Unit : 2611

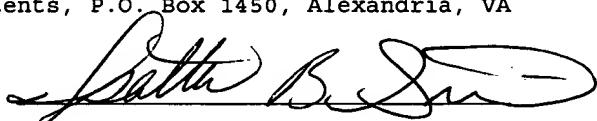
Examiner : Hunter B. Lonsberry

EXPRESS MAIL CERTIFICATION

Express Mail Label No.: EV619613995US

Date of Deposit: July 19, 2005

I hereby certify that this Reply and the other papers identified in this response as being transmitted herewith are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to Mail Stop DUPLICATES, Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Mail Stop DUPLICATES
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

REPLY TO NOTICE UNDER 37 C.F.R. § 1.251 - PENDING APPLICATION

Sir:

In response to the Notice Under 37 C.F.R. § 1.251 -
Pending Application mailed May 16, 2005 for the above-identified

application, the following materials are enclosed:

1. A copy of the May 16, 2005 Notice Under 37 C.F.R. § 1.251 - Pending Application;
2. A copy of June 6, 2003 PTO-892 form;
3. Copies of three (3) Form PTO-1449's;
4. Copies of references; and
5. Return postcard.

REMARKS

In the May 16, 2005 Notice Under 37 C.F.R. § 1.251 - Pending Application, the following papers were requested: "[t]he references listed on the Information Disclosure Statement dated 05/24/99, 08/30/99, and 01/05/04. The 892 forms (List of references cited by examiner) dated 06/06/03 and 05/20/04."

Applicants have enclosed copies of the Information Disclosure Statements containing the requested references and the foreign patent documents and other documents cited therein. Copies of the U.S. patent documents are not enclosed in accordance with 37 C.F.R. § 1.98(a)(2)(ii). Additionally, the undersigned received confirmation from the Image Assistance Center (Customer Service Branch of the United States Patent and Trademark Office) that the U.S. documents do not need to be enclosed.

Applicants have also enclosed a copy of the PTO-892 Form dated June 6, 2003. Applicants have not, however, enclosed a copy of the PTO-892 Form dated May 20, 2004. After a reasonable search through applicants' files, this paper could not be located.

Applicants do not believe that any fee is required with this submission. However, if for any reason a fee is due, the Director of the U.S. Patent and Trademark Office is hereby

authorized to charge payment of any fees required in connection with this submission to Deposit Account No. 06-1075, Order No. 003597-0048. A duplicate copy of this letter is transmitted herewith.

Respectfully submitted,



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